

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
WICHITA FALLS DIVISION**

X CORP.,)
)
 Plaintiff,)
 v.)
)
 WORLD FEDERATION OF)
 ADVERTISERS; MARS,)
 INCORPORATED; CVS HEALTH) Civil Action No. 24-cv-00114-B
 CORPORATION; ØRSTED A/S; and)
 TWITCH INTERACTIVE, INC.,)
)
 Defendants.)
)
)
)
)

**PLAINTIFF'S UNOPPOSED MOTION TO EXTEND DEADLINES AND
IMPLEMENT JOINT BRIEFING SCHEDULE**

Plaintiff X Corp. ("X" or "Plaintiff") respectfully files this unopposed Motion to Extend Deadlines and Implement a Briefing Schedule (the "Motion") and urges that it be granted.

On August 13, 2024, Plaintiff filed this action alleging antitrust claims under Section 1 of the Sherman Act. *See* Complaint (ECF No. 1). On November 18, 2024, Plaintiff filed its First Amended Complaint. Plaintiff subsequently informed Defendants of its intention to seek leave to file a Second Amended Complaint adding multiple additional defendants. The parties sought and were granted an extension of deadlines for Defendants to answer or otherwise respond to Plaintiff's Complaint and a briefing schedule was entered for Plaintiff's forthcoming motion for leave to file a Second Amended Complaint. (ECF No. 71). Pursuant to that schedule, Plaintiff is to provide Defendants with a draft of the proposed Second Amended Complaint by no later than January 20, 2025, Defendants are to advise Plaintiff as to whether they intend to oppose Plaintiff's anticipated motion for leave to file the proposed Second Amended Complaint by January 23, 2025, and

Plaintiff is to file the motion for leave to file the Second Amended Complaint by January 24, 2025. *Id.* The Court also set deadlines for Defendants' opposition to Plaintiff's motion for leave to file the Second Amended Complaint, if any, and for entry of a briefing schedule for the proposed Second Amended Complaint, if allowed by the Court. *Id.*

Plaintiff now seeks a one-week extension of time to file its motion for leave to file the Second Amended Complaint. Plaintiff is making substantial progress in settlement negotiations with a number of parties that Plaintiff will otherwise name as defendants in a proposed Second Amended Complaint. A modest extension of time for Plaintiff to file its motion for leave to file the Second Amended Complaint is reasonably likely to streamline the litigation by reducing the number of defendants Plaintiff seeks leave to add in a Second Amended Complaint. Plaintiff therefore seeks an additional week to allow time to complete settlement negotiations with non-parties, while modifying some of the deadlines applicable to the forthcoming motion for leave to file the Second Amended Complaint. Specifically, Plaintiff proposes to provide a draft of the proposed Second Amended Complaint to Defendants on January 20, the date set by the existing schedule, to extend by four days the time for Defendants to consider the proposed Second Amended Complaint, to extend by one week the time for Plaintiff to file its motion for leave to file the Second Amended Complaint, and to correspondingly extend all other deadlines set by the Court's prior scheduling order (ECF No. 71) by one week.

Good cause exists for this extension. *See* Fed. R. Civ. P. 6(b)(1)(A). In light of Plaintiff's intention to seek leave to file a Second Amended Complaint, a modest extension of time is reasonably likely to promote settlements with non-parties and facilitate more efficient, streamlined litigation of this matter, promoting judicial efficiency. Plaintiff has conferred with Defendants and they do not oppose this motion. Accordingly, Plaintiff respectfully requests the following schedule be entered, including extensions to the currently applicable deadlines incorporating the same time intervals set forth in the Court's prior scheduling order (ECF No. 71):

1. The deadline for Defendants to answer or otherwise respond to Plaintiff's Amended Complaint is adjourned until February 21, 2025. Plaintiff's deadline to respond to Defendants' responsive motions is April 15, 2025. Defendants' deadline to file reply briefs is June 17, 2025.

2. By no later than January 20, 2025, Plaintiff will share with the existing Defendants a draft of the proposed Second Amended Complaint.

3. By no later than January 27, 2025, Defendants will advise Plaintiff whether they intend to oppose Plaintiff's anticipated motion for leave to file the proposed Second Amended Complaint.

4. By no later than January 31, 2025, Plaintiff will file a motion for leave to file the Second Amended Complaint.

- If the motion is opposed, Defendants will file their response to Plaintiff's motion for leave to file the Second Amended Complaint by February 21.
- If the motion is unopposed, Defendants will have no obligation to respond to the Amended Complaint and will instead respond to the Second Amended Complaint in accordance with the following paragraphs.

5. If the Court grants Plaintiff leave to file the Second Amended Complaint, within 21 days, the parties—including any newly added defendants that have been served or have agreed to waive service—will confer and submit to the Court a proposed consolidated schedule for moving to dismiss or otherwise responding to the Second Amendment Complaint. The Parties will use their reasonable best efforts to agree on a coordinated response deadline for all defendants.

6. Plaintiff will not seek further leave to amend the Second Amended Complaint to name additional defendants unless and until Defendants' anticipated motions to dismiss are denied such that they are required to file answers to the operative complaint, as may be necessary, and the Court enters a Scheduling Order.

This schedule will be in the interests of justice and judicial economy and does not prejudice any Party. Accordingly, Plaintiff respectfully urges that the Court grant this Motion and extend the requested deadlines.

January 16, 2025

Respectfully submitted.

/s/ John C. Sullivan

John C. Sullivan
Texas Bar No. 24083920
john.sullivan@the-sl-lawfirm.com
Jace R. Yarbrough
Texas Bar No. 24110560
jace.yarbrough@the-sl-lawfirm.com
S|L LAW PLLC
610 Uptown Boulevard, Suite 2000
Cedar Hill, TX 75104
Phone: (469) 523-1351

Christopher G. Renner (admitted *pro hac vice*)
D.C. Bar No. 1025699
c grenner@dhillonlaw.com
Jonathan M. Shaw (admitted *pro hac vice*)
Virginia Bar No. 98497
jshaw@dhillonlaw.com
Andrew K. Mann (admitted *pro hac vice*)
Virginia Bar No. 77021
akmann@dhillonlaw.com
DHILLON LAW GROUP, INC.
2121 Eisenhower Avenue, Suite 608
Alexandria, VA 22314

Attorneys for Plaintiff X Corp.

CERTIFICATE OF SERVICE

I certify that on January 16, 2025, a true and correct copy of the foregoing instrument was served on all counsel of record using the Court's electronic filing system.

/s/ John C. Sullivan

Attorney for Plaintiff X Corp.

CERTIFICATE OF CONFERENCE

I certify that counsel for Plaintiff conferred with counsel for Defendants and Defendants do not oppose the relief sought in this motion.

/s/ John C. Sullivan

Attorney for Plaintiff X Corp.